United Nations A/HRC/WG.6/30/CAN/1

General Assembly

Distr.: General
3 April 2018

Original: English and French

Human Rights Council
Working Group on the Universal Periodic Review
Thirtieth session
7–18 May 2018

National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

Canada

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GE.18-04969(E)

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I. Introduction

1. Governments across Canada continue to implement measures to enhance the promotion and protection of human rights, domestically and internationally, through a strong framework of laws, programs, policies and institutions.

2. Canada championed the establishment of the Universal Periodic Review (UPR) and has deeply valued the international community's constructive engagement through the first two cycles.

II. Methodology and engagement

3. The report was prepared collaboratively by federal, provincial and territorial (FPT) governments.

4. This report provides examples of measures adopted by governments to address some of the issues raised during Canada's second UPR. Annex 1 outlines the recommendations Canada received in 2013 and should be read in conjunction with the report.

5. Over 280 Indigenous and civil society organizations were consulted on a draft outline of this report. Canada shared a draft of the report with organizations and Canada's National Human Rights Institution. A summary of their comments is attached as Annex 2.

III. Promotion and protection of human rights

6. Respect for the *Canadian Charter of Rights and Freedoms* (Charter) is a critical aspect of governing and legislating in Canada. In 2016, the use of "Charter Statements" was introduced by the Government of Canada to inform the review of proposed bills by Parliament for consistency with the Charter.

7. The Government has engaged in a litigation strategy review to end appeals and positions not consistent with the Charter, its commitments or Canadian values. For example, it withdrew its appeal in *Canada v. Ishaq*, a Charter challenge to the requirement to remove a niqab at citizenship ceremonies.

8. In February 2017, the Government of Canada re-established a renewed, modernized, and expanded Court Challenges Program to provide financial support for the litigation of test cases to clarify/assert certain constitutional and quasi-constitutional official language rights and human rights in Canada.

A. Rights of indigenous peoples

9. Indigenous peoples in Canada face many challenges, including greater rates of poverty and food insecurity, a higher likelihood to experience poor housing conditions, lower education outcomes, greater health disparities, lower employment rates, a greater risk of being victimized by crime and overrepresentation in the criminal justice system.

10. Governments are addressing these issues through policies, programs and legislative reform. While progress is being made, they also recognize that they must continue to address existing gaps and that these efforts must be based on the recognition of rights, respect, cooperation and partnership with Indigenous Peoples.

Reconciliation and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)

11. The Government of Canada is committed to achieving reconciliation through a renewed, nation-to-nation, Inuit-Crown and government-to-government, relationship with First Nations, Inuit, and Métis peoples in Canada, based on recognition of rights as the foundation for accelerating and facilitating the implementation of rights. Indigenous Peoples have a special constitutional relationship with the Crown. This relationship,

including existing Aboriginal and treaty rights, is recognized and affirmed in section 35 of Canada's *Constitution Act, 1982*.

12. As part of the federal government's commitment to a renewed nation-to-nation relationship with Indigenous Peoples and its commitment to implement the Calls to Action of the Truth and Reconciliation Commission of Canada (TRC), Canada announced its full support of the UNDRIP on May 10, 2016.

13. FPT governments are undertaking initiatives to ensure that Indigenous Peoples are involved in a meaningful way in decision-making and policy development related to Indigenous rights and interests, with many of the initiatives using the UNDRIP and the TRC Calls to Action as a framework.

14. The Government of Canada established Permanent Bilateral Mechanisms with First Nations, Inuit and Métis Nations, which provide a forum to co-develop policy on shared priorities and monitor progress going forward.

15. Since February 2017, a Working Group of Federal Ministers (WG) is reviewing federal laws, policies and operational practices relating to Indigenous Peoples to ensure that the Crown is meeting its constitutional obligations with respect to Aboriginal and treaty rights, adhering to international human rights standards, including the UNDRIP, and supporting the implementation of the TRC's Calls to Action. The WG is engaging with Indigenous leaders, youth, and experts on legal and policy questions relating to Indigenous Peoples.

16. On July 14, 2017, the Government of Canada released the *Principles Respecting the Government of Canada's Relationship with Indigenous Peoples*, which are based on the recognition of Indigenous Peoples, governments, laws, and rights, including the right to self-determination and the inherent right of self-government. The Principles address the importance of the free, prior and informed consent of Indigenous Peoples in both domestic and international law.

17. The federal government has also announced its support for Bill C-262, which proposes the implementation of the UNDRIP through legislation and aims to ensure consistency between domestic law and the UNDRIP. Bill C-262 builds on other measures Canada has taken to implement the UNDRIP.

18. On August 28, 2017, it was announced that two departments will replace the existing Department of Indigenous and Northern Affairs. A Department of Crown-Indigenous Relations and Northern Affairs will guide the transformative work to renew the relationship with Indigenous Peoples; accelerate self-government and self-determination agreements based on new policies, laws and operational practices; and develop a framework to advance a long-term recognition of rights approach. A Department of Indigenous Services will continue to improve services delivered to First Nations, Inuit and Métis people and ensure a consistent, high quality, and distinctions-based approach to the delivery of those services. Over time, appropriate programs and services will be increasingly delivered not by the Government of Canada, but by Indigenous Peoples, as they move to self-government.

19. On February 14, 2018, the Prime Minister announced that a Recognition and Implementation of Indigenous Rights Framework will be developed – in full partnership with First Nations, Inuit, and Métis Peoples. The Framework will ensure that the Government of Canada respects the constitutionally protected rights of Indigenous Peoples and provides policies and mechanisms for Indigenous Peoples to exercise their rights. The intention is to have the Framework implemented before October 2019.

20. Provincial and territorial (PT) governments are taking action in relation to the UNDRIP and reconciliation. For example:

- The Government of Alberta undertook a review of existing policies, programs and legislation within the context of the principles and objectives set out in the UNDRIP and the TRC's Calls to Action, resulting in 20 initiatives tied to UNDRIP. Alberta is engaging Indigenous communities and organizations on a number of these initiatives.

- In January 2017, the Yukon government issued a statement of enduring priorities, under which the Government affirms the spirit and intent of final self-government agreements to provide benefits through reconciliation and nation-building.
- Manitoba's *The Path to Reconciliation Act* (March 2016) requires the development of a reconciliation strategy. Key components include engaging with Indigenous Nations and Peoples, creating a reconciliation framework with immediate and long term actions, and establishing transparent monitoring and evaluation mechanisms.
- The Government of Newfoundland and Labrador remains committed to reconciliation through the negotiation of land claims and self-government agreements, devolution of provincial programs and services to Indigenous entities, discharging any applicable duty of consultation, and making programs and services more culturally appropriate.

21. In February 2018, the Government of Canada introduced changes to the environmental assessment and regulatory review process (Bill C-69) that provide for the engagement of Indigenous Peoples early in the planning phase of any natural resource project to which the legislation will apply, improved engagement between the Crown and Indigenous Peoples aiming to secure their free, prior and informed consent, enhancing overall process transparency and participation opportunities, incorporating Indigenous Knowledge along with other evidence sources, and consideration of impacts on Indigenous Peoples in the assessment process. Bill C-69 also includes provisions to enter into agreements or arrangements with an Indigenous governing body regarding its role in the administration of the *Impact Assessment Act*. The current Parliamentary review of the Bill will include opportunities for Indigenous Peoples and Canadians, generally, to provide feedback during this process and through associated regulatory or policy changes.

Truth and Reconciliation Commission of Canada

22. The TRC, part of the *Indian Residential Schools Settlement Agreement*, began to carry out its five year mandate in 2009. The TRC released its final report on December 15, 2015, which included 94 Calls to Action (CTAs) directed at multiple parties, including the Government of Canada, provincial and territorial governments, Churches, and other public and private sector organizations.

23. Progress has been made on implementing over two-thirds of the Calls to Action under federal or shared responsibility. Canada has made investments to better support the wellbeing of children and families on reserve, improve the quality of education for First Nations children, and urgently address housing needs on reserve. A National Council for Reconciliation (as per CTA 53) is being established and will serve as an independent oversight body to hold Canada accountable for making further progress on implementing the TRC Calls to Action, decolonization and reconciliation.

24. PT governments are also implementing the Calls to Action that relate to their areas of responsibility:

- Through the Council of Ministers of Education, Canada, governments are collaborating and implementing the Indigenous Education Action Plan. Many have incorporated or are in the process of incorporating information in their school curricula on issues such as the history and legacy of residential schools, treaties and Indigenous Peoples' historical and contemporary contributions to Canada.
- In *The Journey Together: Ontario's Commitment to Reconciliation with Indigenous Peoples*, the Government of Ontario is creating a culturally relevant and responsive justice system, and introducing mandatory Indigenous cultural competency training for public service employees on the effects of colonization, including the impact of residential schools, and racist attitudes, stereotypes and implicit biases that contribute to low socio-economic and health indicators across Indigenous populations.

- The Government of the Northwest Territories is making it easier for people to reclaim names changed through the residential school system, including the ability to use single names on identity documents, such as birth certificates and health care cards, in line with traditional Indigenous culture.
- The Government of Yukon and Yukon First Nations committed to a collaborative approach to advance reconciliation by signing a Declaration titled *Working Together*. Many of the joint priorities identified relate to themes common to the TRC Calls to Action, such as health, justice, education and heritage.
- Through their Partnership Agreement, the governments of Canada, Prince Edward Island and the Mi'kmaq Confederacy established a Policy and Planning Forum that works collaboratively on practical and mutually agreed subject matters, such as education, health, child and family services, justice and economic development.
- The Government of Québec has launched the *Plan d'action gouvernemental pour le développement social et culturel des Premières Nations et des Inuits (2017-2022)*, which aims to contribute positively in a spirit of reconciliation to the healing process, as part of the nation-to-nation relationship that the Government of Québec wants to continue building with Inuit and First Nations.

First Nations Child and Family Services and Jordan's Principle

25. In January 2016, the Canadian Human Rights Tribunal found that the federal government discriminated against First Nations children by not funding welfare services on reserves at the same level as services elsewhere. The Tribunal ordered the federal government to cease its discriminatory practices and to reform the First Nations Child and Family Services Program.

26. In the same order, the Tribunal also called on the Government to fully implement Jordan's Principle, a child-first principle that ensures that all First Nations children can access the health, educational, and social supports and services that they need without undue delay or disruption. The federal government is implementing all of the Tribunal's orders, including to address any outstanding funding gaps.

27. In July 2016, the Government of Canada announced new funding to support the implementation of Jordan's principle. This is a three-year initiative that offers funding to:

- External organizations to help families navigate existing programs in order to address identified gaps in service;
- Approve requests to meet service gaps identified for health, social, and educational needs;
- Collect and analyze service and financial data; and
- Ensure adequate human resource capacity to implement components of the interim approach.

28. Canada is also working in partnership with First Nations, in particular the Assembly of First Nations, to co-develop long term policy options for Jordan's Principle and is engaging with stakeholders to seek their views regarding access to the services and supports they need.

29. The federal government is seeking ideas and support from First Nations and PT partners to move forward. On January 25 and 26, 2018, the Minister of Indigenous Services convened a two-day meeting on Indigenous Child and Family Services. The meeting included Indigenous leaders, PT Ministers, community technicians, youth representatives, experts and advocates and its purpose was to identify shared priorities and a path forward in reforming Indigenous child and family services (with distinctions based approaches) to put the needs of children first.

Safe drinking water

30. The Government of Canada adopted an action plan to address the issue of safe drinking water in Indigenous communities and to eliminate by March 2021 all long-term drinking water advisories affecting public water systems financially supported by the Government of Canada. Between November 2015 and July 2017, 40 of these advisories have been lifted. However, 26 long-term drinking water advisories were added during that same period.

31. Progress continues to be made. The Government of Canada is working with First Nations communities, including First Nations technical advisors and leaders, to support sustainable community-led approaches to ensure that on-reserve water systems meet established standards and future population growth.

Mental health and suicide prevention

32. The Government of Canada's mental wellness investments are guided by the First Nations Mental Wellness Continuum Framework and the *National Inuit Suicide Prevention Strategy* (NISPS). They underscore the importance of implementing programs and services that reflect the priorities, needs, and strengths of communities, as identified by community health planning.

33. In 2016, the Government of Canada announced additional funding to meet the immediate mental wellness needs of First Nations and Inuit; to support their enhanced access to Mental Wellness Teams; implement the NISPS; and establish the First Nations and Inuit Hope for Wellness Help Line.

34. Additional commitments in 2017 will further expand access to mental health professionals including traditional healers and increase support for youth suicide prevention through an emphasis on youth engagement.

Indigenous languages

35. The Government of Canada is committed to enacting an Indigenous Languages Act, co-developed with Indigenous Peoples, to ensure the preservation, revitalization and promotion of First Nations, Inuit, and Métis languages. In addition, new investments support the digitization of Indigenous language and cultural materials and the development of an Indigenous Oral Testimonies Project to preserve oral histories and create interactive educational materials.

36. PT governments support the revitalization of Indigenous languages through educational initiatives. For example:

- The Government of Alberta supports the University of Alberta Canadian Indigenous Languages and Literacy Development Institute for Indigenous language instructors that teach at-risk languages.
- The Government of Manitoba is developing a distance learning Aboriginal Language course – Ojibwe: A Course for Independent Study – with additional courses to follow.
- The Government of Ontario's Native Languages program is aimed at the development of Indigenous language skills for students wishing to learn Cayuga, Cree, Lenape (Delaware), Mohawk, Ojibwe, Oji-Cree and Oneida.
- New Brunswick provides online access to high school level Mi'kmaq and Wolastoqiyik language curricula, which provide Indigenous students in the public system an opportunity to learn their language of heritage as a second language.

B. Advancing gender equality and women's empowerment

37. The Government of Canada renewed its commitment to gender equality, appointed the first full cabinet Minister responsible for the status of women, and a gender equal federal Cabinet.

38. Governments have adopted a number of programs and measures that seek to further address the persistent inequalities experienced by women and girls in Canada.

39. Gender-based analysis (GBA+) considers the differential impacts of policies, programs, services and initiatives on diverse groups of women, men, and gender-diverse people. The federal GBA Action Plan 2016-2020 sets out actions to implement GBA+ across federal departments and agencies. GBA+ and similar processes have been adopted by the governments of Prince Edward Island, New Brunswick, Alberta, Manitoba, Ontario and Québec.

40. Québec's *Government Strategy for the Equality of Women and Men for 2021* is based on six themes:

- Egalitarian socialization and education, free of sexual stereotypes and sexism;
- Economic empowerment of women;
- Equitable distribution of family responsibilities and better balance of professional, family, student, social and political life;
- An approach to health and well-being that is differentiated by gender;
- A society without gender-based violence; and
- Parity in decision-making positions.

41. The Government of Northwest Territories' policy *Equality of Men and Women in the Northwest Territories* provides direction to all departments and public agencies with responsibilities affecting the equality of women and men as identified in international instruments on the elimination of discrimination against women.

Gender-based violence

42. Governments have adopted a multi-faceted approach to address gender-based violence including legislation, strategies, victim supports, prevention, and awareness campaigns.

43. *It's Time: Canada's Strategy to Prevent and Address Gender-Based Violence* (GBV) is based on three pillars: prevention; support for survivors and their families; and promotion of responsive legal and justice systems. A GBV Knowledge Center will coordinate initiatives across the federal government, enhance data collection and research on GBV, and strengthen coordination and knowledge sharing across jurisdictions and sectors. It will also fill gaps in support for diverse populations, including: women and girls, Indigenous people, lesbian, gay, trans, bisexual, queer, two-spirited (LGBTQ2) and gender non-binary people, those living in northern rural and remote communities, people with disabilities, newcomers, children and youth, and seniors.

44. The Government of Québec's 2016-2021 *Strategy to Prevent and Counteract Sexual Violence* targets two problems: sexual assault and sexual exploitation. It comprises three interdependent, complementary themes:

- Prevent;
- Intervene with respect to the psychosocial, medical, legal, police and correctional dimensions; and
- Develop knowledge and share expertise to act more effectively.

45. The actions in the Strategy take into consideration that certain groups in the population are more vulnerable to such violence; for example, persons with disabilities, Indigenous Peoples, refugees, immigrants or members of the ethnocultural minorities, seniors, prostitutes, and lesbian, gay, bisexual and trans individuals (LGBT).

46. Nova Scotia's *Sexual Violence Strategy* supports better delivery of prevention and support services, increased education, and the creation of community networks. It specifically references marginalized populations, including African Nova Scotians, First Nations and the LGBTQ community.

47. Newfoundland and Labrador's *Working Together for Violence-Free Communities: An Action Plan for the Prevention of Violence in Newfoundland and Labrador 2015-2019*, sets out four strategic priorities:

- Increasing Public Awareness and Positively Changing Attitudes and Behaviours Towards Violence and Abuse;
- Addressing Violence Against Indigenous Women and Children;
- Increasing Participation and Leadership: Engaging and Mobilizing Communities; and
- Strengthening Research, Policies, Programs and Services.

48. The Action Plan targets women, children and youth, Indigenous women and children, older persons, persons with disabilities, persons of varying race or ethnicity, LGBT persons, and persons of varying economic status.

Family violence

49. Government strategies take a multi-sectoral approach to prevention and responding to family violence. Initiatives are aimed at vulnerable populations, including Indigenous women and girls, youth, seniors, persons with disabilities, immigrant and refugee women, and the LGBTQ2 community.

50. The Government of Canada's Family Violence Initiative supports shelter development and improvement, community-based projects, enhanced criminal justice response, and sharing of knowledge and tools.

51. Examples of PT initiatives include:

- Ontario's *Domestic Violence Action Plan* sets out an approach to:
  - Provide community supports for victims;
  - Support training of front-line workers and professionals;
  - Promote public education and prevention;
  - Identify women and children at risk and intervene earlier; and
  - Improve criminal and family justice systems.
- British Columbia Provincial's Office of Domestic Violence works to ensure domestic violence initiatives are effective and delivered in a comprehensive, unified way across government; and to lead a coordinated, systematic response to domestic violence through engagement and consultation with community stakeholders, law enforcement agencies and other ministries;
- Prince Edward Island's Premier's Action Committee on Family Violence Prevention:
  - Coordinates the implementation of the provincial *Family Violence Prevention Strategy*;
  - Ensures integrity of community participation;
  - Promotes the importance of resource allocations to implement the strategy; and
  - Ensures a high public profile for family violence prevention is maintained.
- The Government of the Northwest Territories' *What Will it Take?* Campaign is aimed at shifting attitudes and beliefs that lead to and perpetuate family violence. A partnership between the Government and the FOXY (Fostering Open Expression among Youth) and SMASH (Strength, Masculinities, And Sexual Health) programs ensures campaign messaging is delivered to a youth audience across the territory.

National Inquiry into Missing and Murdered Indigenous Women and Girls

52. The National Inquiry into Missing and Murdered Indigenous Women and Girls was established on September 1, 2016, led by an independent Commission with a mandate to inquire into and report on:

- The systemic causes of all forms of violence, including sexual violence, against Indigenous women and girls, including underlying social, economic, cultural, institutional and historical causes; and
- Institutional policies and practices implemented in response to violence experienced by Indigenous women and girls, including identification and examination of practices that have been effective in reducing violence and increasing safety.

53. The Commission was also directed to make recommendations for concrete action to remove systemic causes of violence and increase the safety of Indigenous women and girls in Canada, and ways to honour and commemorate the missing and murdered Indigenous women and girls.

54. Throughout the Inquiry, survivors, families, loved ones, grassroots women's organizations and National Indigenous Organizations are being provided with opportunities during community visits and family hearings to share their experiences and views, particularly on ways to increase safety and prevent and eliminate violence against Indigenous women and girls in Canada.

55. The Government of Canada will work with provinces and territories to determine the most effective ways to take action on the Commission's final recommendations. To support this work, a governance structure involving provinces and territories as well as other implicated partners has been established.

56. The Government of Canada, through the *Federal Victims Strategy*, is increasing access to information and specialized assistance for families of missing or murdered Indigenous women and girls through the development of Family Information Liaison Units and community based services and supports.

C. Equality, diversity and inclusion

57. All governments recognize the importance of addressing racism, discrimination and actions motivated by hate and that a number of challenges still remain.

Racial and religious minorities

58. Relevant initiatives adopted by governments include:

- The Land Titles Clarification Project that helps African Nova Scotian residents get clear title to their land;
- Legislative measures, such as Ontario's *Anti-Racism Act, 2017*, British Columbia's *Multiculturalism Act* and the *Canadian Multiculturalism Act*;
- The Government of Ontario's *Anti-Racism Strategic Plan* aims to:
  - Reduce disparities and disproportionalities affecting Indigenous and racialized people in government policies, programs and services;
  - Increase public awareness and understanding of systemic racism; and
  - Strengthen relationships with Indigenous and racialized communities through community collaboration.
- The Government of Québec's Immigration, Participation and Inclusion Action Strategy, *Together, We are Québec*, recognizes that discrimination and racism are obstacles to the full participation of Quebecers from all origins and to the building of welcoming and inclusive communities. The 2016-2021 Strategy for Action includes approximately 30 means of action that contribute to the prevention of these

phenomena, in particular through awareness-raising and training about human rights and freedoms with a variety of audiences;

- Government of Canada's Multiculturalism Funding Program supports projects that encourage positive interaction between cultural, religious and ethnic communities in Canada;
- Beginning in October 2016, the Government of Canada reconstituted the independent Judicial Advisory Committees (JACs) in each province and territory that recommend candidates for federal judicial appointment, taking into account the diversity of Canadian society. Membership of JACs is now marked by greater gender balance and diversity than before. Since that time, of 74 judges appointed, 37 were women, 3 self-identified as Indigenous, 9 as a visible minority, 15 as members of an ethnic/cultural group, 1 as a person with a disability, and 4 as LGBTQ2.

59. Measures adopted by governments to address discrimination based on religion include:

- Initiatives to address and prevent antisemitism and Islamophobia are included in Ontario's *Anti-Racism Strategic Plan*. Consultation Groups and sub-committees on antisemitism and Islamophobia provide Jewish and Muslim community leaders a voice to engage with government and guide the implementation of the plan;
- Neutrality and religious diversity are part of Québec's policy *Together, We are Québec* and its action plan 2016-2021;
- The Government of Alberta provides support to increase organizational capacity to address or report Islamophobia;
- The Government of Canada's Communities at Risk: Security Infrastructure Program provides funding to assist communities at risk from hate-motivated crime enhance their security infrastructure.

Refugees and migrants

60. Canada's framework of inclusive laws and policies underpins a whole of society approach to migration that supports immigrant participation in our economic, political, social and cultural life, and includes a pathway to Canadian citizenship. Legislation ensures national commitment and allows for meaningful investment in support of migrants and receiving communities.

61. Recent program enhancements to reduce migrant vulnerabilities and support gender equality include: changing the minimum age of a recognized spouse in all immigration programs; eliminating conditional permanent residence to address concerns about vulnerable sponsored spouses; and improvements to the caregiver program, such as removing the live-in requirement.

62. Canadian laws protect the rights of workers in Canada, including temporary foreign workers. The Government of Canada plans to enhance protections under the Temporary Foreign Worker Program and the International Mobility Program. The Government will work with community organizations to ensure that foreign workers are aware of their rights, and will implement a strategic employer compliance regime.

63. Canada remains committed to providing protection to refugees. In 2016, Canada delivered Operation Syrian Refugee, managed a continued increase in the number of asylum claimants in Canada, and fully restored the Interim Federal Health Program. Canada is currently conducting an independent review of its refugee determination system to identify potential approaches for increased efficiency and productivity when processing asylum claims.

64. Canada's Settlement Program funds partnerships with over 500 third-party organizations across Canada that deliver settlement programming. These organizations assist immigrants and refugees to overcome barriers, receive language training, find employment and establish themselves and their families in Canada. Other orders of

government provide complementary integration programs in education, health, and labour market access.

LGBTQ2

65. The Prime Minister appointed a Member of Parliament as his Special Advisor on LGBTQ2 issues in November 2016, whose role includes working with LGBTQ2 organizations to promote equality for LGBTQ2 communities, protect the rights of its members, and address discrimination against them.

66. The Prime Minister issued a formal apology in the House of Commons to individuals harmed by federal legislation, policies and practices that led to the oppression of and discrimination against LGBTQ2 people in Canada. The Prime Minister apologized for the historical unjust treatment of LGBTQ2 public servants, including those in the Canadian Armed Forces, and of LGBTQ2 Indigenous Peoples. As part of addressing historical wrongs, the Government of Canada introduced legislation to establish a process to permanently destroy the records of convictions for offences involving consensual sexual activity between same-sex partners that would be lawful today. In addition, the Government of Canada introduced legislation to eliminate section 159 of the *Criminal Code* that pertains to anal intercourse and has been used to criminalize homosexuality.

67. All governments have either enacted or introduced amendments to include gender identity and (in most jurisdictions) gender expression as prohibited grounds of discrimination in their anti-discrimination legislation. In addition, in 2017, Parliament amended the *Criminal Code* to protect against hate propaganda and hate crimes on the basis of gender identity or expression.

68. Governments are also making changes to how they collect, use and display sex and gender information to reduce the risk of trans and non-binary people facing harassment or discrimination. For example:

- Québec's Loi modifiant le Code civil en matière d'état civil, de successions et de publicité des droits, Newfoundland and Labrador's Vital Statistics Act, 2009, and Yukon's Vital Statistics Act, allow persons to change the designation of sex on their birth certificate without requiring sex reassignment surgery;
- Under Ontario's 2017 policy on gender and sex information on government forms and IDs, gender identity will be the default information on government forms and IDs. When gender identity information is displayed on an ID, customers will have the option to choose male 'M'; female 'F', or 'X' which includes Trans, Non-Binary, Two-Spirit, and Binary people and people who don't want to disclose their gender identity;
- Federally, as of 2015, supporting documentation is no longer required for anyone requesting a change to their gender designation in the Social Insurance Register. Providing sex/gender information is optional, and three options are allowed (male/female/3rd option) for any sex/gender question. Since August 2017, passports, citizenship and immigration documents may include an indication that sex should read as "X" or unspecified.

69. Another notable initiative is Alberta's legislation to support students to create or join gay-straight alliances in schools.

70. The Government of Québec has adopted the *Plan d'action gouvernemental de lutte contre l'homophobie et la transphobie 2017-2022 : Pour un Québec riche de sa diversité*. This plan aims to promote respect for the rights of sexual minorities and to increase public awareness of their realities. Special attention is given to the most vulnerable groups such as youth, seniors, trans people and Indigenous people, as well as to those in regions and settings with fewer resources.

Persons with disabilities

71. Measures adopted by FPT governments focus on issues such as labour market participation, income security, education, skills development, social inclusion, legal capacity, accessibility and tax relief.

72. Accessibility legislation is in place in Québec, Ontario, Manitoba and Nova Scotia. The Government of Canada is developing federal-level accessibility legislation.

Children

73. In June 2017, a new Multilateral Early Learning and Child Care (ELCC) Framework was announced that builds on existing PT investments in ELCC, and prioritizes investments in regulated ELCC programs and services for children under age six and families in need. The Framework enables agreements with provinces and territories to address unique jurisdictional needs and provide associated funding. A separate, complementary Indigenous ELCC framework is being co-developed between the federal government and Indigenous People to reflect the unique cultural needs of Indigenous children across Canada.

74. FPT governments provide child benefits and tax credits to support the cost of raising children under the age of 18. For example, the federal Canada Child Benefit is a tax-free monthly payment to eligible families, where lower-income families receive the maximum benefit.

75. PT governments have adopted frameworks to enhance access to early learning and child care programs and services. For example, further to its 2016 report, *Affordable, Quality Child Care: A Great Place to Grow!*, Nova Scotia is making child care more affordable through higher subsidy rates and addressing historically low wages for early childhood educators. Measures include greater assistance for lower income families and greater support for children with special needs. Québec launched the *Tout pour nos enfants* strategy, which aims to support the educational pathway for children aged 0 to 8.

76. Governments are also working to protect children from sexual exploitation and cyberbullying.

77. In July 2015, the *Tougher Penalties for Child Predators Act* amended the *Criminal Code*, including by increasing and imposing new mandatory minimum penalties for child sexual offences.

78. As of March 2015, the *Protecting Canadians from Online Crime Act* created an offence prohibiting the non-consensual distribution of intimate images to address aspects of cyberbullying that were not otherwise covered by Canada's criminal law. The Act also empowered the courts to order the removal of intimate images from the Internet and modernized investigative powers.

79. Bullying and cyberbullying are also addressed through PT education policies. For example, in Yukon, The *Safe and Caring Schools Policy* reflects the commitment of the school community to plan, strategize and create a respectful, safe and nurturing educational environment for everyone. Under the policy, cyberbullying is specified as: "threats or harmful and demeaning text messages, photos or videos distributed or published to the internet". In Québec, the *Plan d'action concerté pour prévenir et contrer l'intimidation 2015-2018 Ensemble contre l'intimidation, une responsabilité partagée* gives concrete expression to Québec's commitment to countering bullying in different environments for people of all ages.

Youth

80. The Prime Minister's Youth Council, established in 2016, includes young Canadians, representing each province and territory, who provide non-partisan advice to the Prime Minister and the Government of Canada on issues of importance to them. In addition, the federal government is working with Canadian youth to develop Canada's first youth policy.

81. Governments across Canada have adopted initiatives, such as the federal Youth Employment Strategy, to help youth gain the skills, job experience and abilities they need to make a successful transition to the workplace.

82. Many PT governments have adopted measures to support youth who leave government care. For example, the Government of British Columbia covers living expenses while they finish high school, or attend post-secondary training or rehabilitative programs. Other resources include Agedout.com, an online resource and learning platform; the Youth Educational Assistance Fund; and programs to link youth with other services such as financial supports, employment services, therapeutic and addictions programs. Alberta's Advancing Futures Bursary Program provides social and emotional supports for youth transitioning out of care and supports their educational goals as a means of obtaining meaningful employment.

Older persons

83. In 2016, the FPT Ministers Responsible for Seniors Forum developed the Social Isolation of Seniors Toolkit. FPT Ministers also identified the social inclusion of seniors as a priority and directed officials to do further work to respond to the needs of three specific communities of seniors at high risk of being socially isolated: recent immigrant and refugee seniors, Indigenous seniors, and LGBTQ2 seniors.

84. Some provinces have established specific government offices that focus on issues relevant for seniors, such as:

- Ontario's Ministry of Seniors Affairs' initiatives include:
    - Investing in elder abuse prevention and awareness initiatives, including Ontario's *Elder Abuse Strategy*; and
    - Regulating care provided to seniors in licensed retirement homes.
- British Columbia and Alberta each established an Office of the Seniors Advocate to monitor and analyze seniors' services and issues, and make recommendations to government and service providers to address systemic issues.

85. Policy initiatives adopted by governments include:

- *We Are All in This Together: An Aging Strategy for New Brunswick*, adopted in 2017, focuses on: fostering healthy aging and support for seniors; improving access to primary and acute care; promoting wellness; supporting people with mental health challenges; advancing women's equality; reducing poverty; and supporting people with disabilities.

86. Governments also have initiatives to combat elder abuse, including:

- *Addressing Elder Abuse in Alberta: A Strategy for Collective Action* provides overall context for government initiatives to prevent and address elder abuse and improve supports for older adults affected by abuse;
- Key components of Manitoba's *Elder Abuse Strategy* include: an Elder Abuse Consultant; a 24-hour Seniors Abuse Support Line; community regional prevention strategies; education, awareness and training; and funded partnerships with senior-serving organizations that provide direct services;
- In Québec, the *2017–2022 Government Action Plan to Counter Elder Abuse* has four main objectives:
    - Prevent mistreatment and promote proper treatment;
    - Encourage early detection and appropriate interventions;
    - Encourage and facilitate reporting of mistreatment, particularly material and financial abuse; and
    - Increase knowledge acquisition and knowledge transfer.

D. Public security

National security

87. Bill C-59, the *National Security Act, 2017*, was tabled in Parliament on June 20, 2017. With the proposed legislation and other measures, the Government of Canada is:

- Enhancing accountability and transparency through a proposed National Security and Intelligence Review Agency, an Intelligence Commissioner, and a six-point commitment to national security transparency;
- Addressing the problematic elements of the *Anti-terrorism Act, 2015* (former Bill C-51), through revisions to threat reduction activities under the *Canadian Security Intelligence Service Act*, amendments to the *Criminal Code*, and improvements to the *Secure Air Travel Act* and the *Security of Canada Information Sharing Act*; and
- Strengthening security and protecting rights by proposing updates to keep pace with evolving threats through measures such as modernizing the *Canadian Security Intelligence Service Act*, establishing the *Communications Security Establishment Act*, and making other legislative updates.

Crime prevention and criminal justice system

88. The Government of Canada is undertaking a broad review of Canada's criminal justice system to ensure that it is just, compassionate and fair. The review will address a number of important issues, including ensuring consistency with the Charter and reducing the over-representation of vulnerable populations. Since May 2016, the Government has been holding a series of roundtables with stakeholders across the country on how to transform the criminal justice system.

Over-representation of Indigenous Peoples and minority groups in the criminal justice system

89. Strategies to counteract the over-representation of Indigenous youth in the youth criminal justice system include legislation, culturally-appropriate programming, and measures to address socio-economic disadvantage. For example, the Youth Justice Fund and the Indigenous Justice Program supports pilot projects and community-based justice programs, such as the creation of a culturally appropriate mentorship program for Indigenous female youth involved in the criminal justice system in Winnipeg.

90. Measures adopted by PT governments focus on crime prevention, alternatives to detention and rehabilitation. For example:

- The Government of Nova Scotia supports the Mi'kmaq Legal Support Network, which runs an Aboriginal court worker program and customary law program aimed at better meeting the needs of Indigenous people involved in the criminal justice system, and also supports other community justice societies to embed restorative justice as an alternative to the criminal justice system;
- In Alberta, Youth Justice Committees, many of which operate in Indigenous communities, help divert Indigenous youth from the criminal court system via extrajudicial sanctions. At the request of the court, these committees may conduct a circle process in the community with the young person and family, the victim, elders and others to provide sentencing recommendations;
- Through the *Ontario Black Youth Action Plan*, the government is increasing opportunities for Black children, youth and families through a suite of program investments to help eliminate systemic, race-based disparities for Black children and youth in schooling, postsecondary education, and employment as well as those in conflict with the law.

Administrative segregation

91. Administrative segregation is a legislative measure of last resort available to the Correctional Service of Canada to ensure the safety of staff, visitors and inmates and to maintain the security of its penitentiaries.

92. In June 2017, the federal government introduced Bill C-56 to reform administrative segregation. It created a presumptive time limit of 15 days for detaining inmates in administrative segregation, effective 18 months after the coming in to force date (and a limit of 21 days prior to that date), as well as an independent external review of cases of inmates detained beyond the presumptive release date, maintained in administrative segregation for a cumulative total of at least 90 days, or on at least four separate occasions within the same calendar year.

93. In August 2017, the federal policy on administrative segregation was updated to prohibit its use for inmates with serious mental illness with significant impairments; inmates who are certified in accordance with relevant provincial/territorial mental health legislation; and those who are actively engaging in self-injury that is deemed likely to result in serious bodily harm or who are at an elevated or imminent risk of suicide. Pregnant inmates, inmates with significant mobility impairment, and inmates in palliative care are no longer admissible to administrative segregation, unless exceptional circumstances exist.

Policing

94. There are many measures in place to govern the use of force by police in Canada. Police officers are provided training and guided by policies that are consistent with the Charter, the *Criminal Code* of Canada, and case law resulting from court decisions regarding the reasonableness of force used by the police.

95. Measures in place with respect to the Royal Canadian Mounted Police (RCMP) include:

- The National Use of Force Unit conducts annual reviews of the RCMP's use of force policies through a consultative process as well as research to make informed evidence based decisions in the area of use of force;
- The RCMP Incident Management Intervention Model Policy, last updated in October 2014, provides training to assist officers with the risk assessment process and with identifying an intervention option that is reasonable given the totality of a situation;
- Crisis Intervention and De-escalation Training, mandatory for all regular members of the RCMP, assists officers in using crisis intervention and de-escalation techniques to effectively deal with crisis situations.

96. Provincial and municipal policing is similarly guided by policies and regulations on the use of force. Use of force and de-escalation are also addressed in training of police officers.

97. With respect to potential racial profiling, the RCMP bias-free policy is based on the Charter, the *Canadian Human Rights Act*, the RCMP Act, RCMP regulations and guidelines. Cultural awareness training is integrated with concepts of human rights, harassment, discrimination, ethics and bias-free policing as part of the RCMP Cadet Training Program. Several RCMP divisions have also developed their own cultural competency training to enhance cultural understanding and respect in the communities they serve.

98. Measures are also being undertaken by provincial governments to address the issue of racial profiling.

99. In Ontario, a regulation banning arbitrary street checks started on January 1, 2017, and applies when the collection of identifying information is conducted in a face-to-face interaction. Officers must inform the person of their right to not provide identifying information and why the information is being collected, and it cannot be based on race or solely because that individual is in a high-crime location.

E. Economic and social rights and well-being

100. FPT governments recognize the importance of economic security and well-being for all Canadians, and have taken a number of joint and independent initiatives to progressively realise economic and social rights.

Poverty reduction

101. Poverty reduction is an area of shared jurisdiction in Canada. Certain jurisdictions (i.e., Ontario, Quebec, Manitoba, New Brunswick, and Nunavut) have implemented poverty reduction legislation.

102. Several provinces, territories and municipalities have stand-alone poverty reduction strategies administered by their respective governments, and in some cases, mandated by their poverty reduction legislation.

103. These strategies share common goals of reducing poverty through increased income and employment supports, addressing housing needs and homelessness, improving educational outcomes, supports for health and well-being and accessible co-ordinated services. Examples of other objectives include promoting respect for and protecting the dignity of those living in poverty and fighting against prejudice towards them as found in the Government of Québec's *National Strategy to Combat Poverty and Social Exclusion*.

104. Strategies target population groups most vulnerable to poverty. For example, Ontario's strategy – *Realizing our Potential* – has a special focus on children and youth, recent immigrants, persons with disabilities, female lone parents and unattached individuals aged 45 to 64 and Indigenous people living off-reserve.

105. The Government of Canada is developing a Canadian Poverty Reduction Strategy. To ensure that the federal strategy reflects the diversity of needs and approaches throughout the country, the government has:

- Released a What We Heard Report after extensive consultations with Indigenous organizations, businesses, community organizations, academic experts, and Canadians who have experience with poverty; and
- Established a Ministerial Advisory Committee on Poverty as a forum for information sharing and independent discussion on poverty reduction, bringing together community leaders, academic experts, poverty reduction practitioners, and individuals who have experienced poverty.

Housing and homelessness

106. Canada's first *National Housing Strategy* was released by the Government of Canada in November 2017. It prioritizes housing for those in greatest need, including vulnerable populations, such as: survivors fleeing family violence; Indigenous Peoples; seniors; people with disabilities; those dealing with mental health and addiction; veterans; and young adults.

107. The Strategy addresses community and affordable housing; Indigenous and northern housing; and sustainable housing and communities; and includes:

- New legislation promoting a human rights-based approach to housing;
- A Federal Housing Advocate to recommend solutions to systemic barriers;
- A National Housing Council with diverse participants, including people with lived experience to provide input on housing policy, programs and research;
- A Community-Based Tenant Initiative to fund local organizations that assist people in housing need;
- Advancing distinctions-based Indigenous housing solutions;
- A public engagement campaign to reduce discrimination and stigma of different housing types; and

- Gender and intersectionality-based analysis.

108. The Government of Canada's *Homelessness Partnering Strategy* provides financial support to designated communities and Indigenous, rural and remote communities across Canada to prevent and reduce homelessness.

109. Addressing housing needs and homelessness are key components of PT poverty reduction strategies. Some governments, such as Alberta and Yukon, have also adopted housing strategies aimed at increasing the supply and condition of affordable housing. Other measures include Nova Scotia's down payment assistance, which provides interest-free loans.

110. Specific PT homelessness strategies include:

- *A Plan for Alberta: Ending Homelessness in 10 years* adopts a Housing First approach and focusses on providing permanent housing along with support services;
- Alberta's *Supporting Health and Successful Transitions to Adulthood: A Plan to Prevent and Reduce Youth Homelessness* adopts a "Family First" approach, under which, where possible, family reunification and a connection to a stable nurturing adult is ensured;
- The Yukon government coatributed, along with Kwanlin Dun First Nation, Ta'an Kwach'an Council and the City of Whitehorse (Yukon's capital), to develop a *Safe at Home* plan to end homelessness in Whitehorse, which is based on the Housing First approach. The plan aims to increase the supply of safe, affordable and appropriate housing along the housing continuum based on the most immediate housing needs, support innovative ways to provide a variety of sustainable housing options and ensure safe and appropriate shelter services.

Food security

111. The Government of Canada is developing *A Food Policy for Canada* to enable a whole-of-government approach to food-related issues. Two of the themes on which the policy consultations were based were increasing access to safe and nutritious food, and improving health and food safety. These themes have particularly significant implications for vulnerable segments of the Canadian population, including Canadians living in poverty, Indigenous Peoples, and those living in remote and Northern communities, who may be at a higher risk of food insecurity and food related chronic illnesses.

112. Food security is often addressed in existing provincial and territorial poverty reduction strategies. For example, priority actions under New Brunswick's *Overcoming Poverty Together* strategy (2014-2019) focus on community-based initiatives related to food preparation, food safety and access to healthy food, transition of food banks to community-based food centres, availability of nutritional food and food management and coordination in emergency food programs, and community based breakfast programs in public schools.

113. Examples of additional measures include British Columbia's *Community Food Action Initiative*, which supports regional health authorities to fund community action plans that support local food access and food security, and the Farmers' Market Nutrition Coupon Program, which provides subsidies in the form of coupons to low-income pregnant women, families with children and seniors to buy select provincially-produced foods at local farmers' markets.

Education

114. Provincial and territorial governments are taking action to increase student achievement. Some governments include education support and student achievement initiatives in their poverty reduction strategies. Other related initiatives include:

- Manitoba's K-12 Framework for Continuous Improvement analyzes student achievement data, identifies benchmarks and targets and monitors progress toward increased results in literacy and numeracy; and

- Nova Scotia's Council to Improve Classroom Conditions focusses on reducing demands on teachers' time that limit their ability to support student learning.

Health

115. Provincial and territorial governments have adopted initiatives and identified priorities for enhancing access to health care. These include:

- Newfoundland and Labrador's *Chronic Disease Action Plan* that focusses on prevention, self-management, treatment and care;
- Prince Edward Island's focus on women's wellness, particularly specialized care for reproductive and sexual health.

116. In 2017, the Government of Canada confirmed targeted investments over ten years to provinces and territories to improve home care and mental health services, as well as investments over five years to federal and pan-Canadian health organizations to support health innovation and pharmaceutical initiatives. As of August 2017, all provinces and territories have accepted their share of the federal funding to improve home care and mental health services. A *Common Statement of Principles on Shared Health Priorities* outlines priorities for federal investments in mental health and addictions, and home and community care.

Mental health

117. All PT governments have mental health and addiction strategies. For example:

- Québec's *2015-2020 Mental Health Action Plan - Faire ensemble et autrement* relies on integrated, social, mental health and physical health services to improve the health of service users and their families and that of organizational and clinical practices;
- *Mind And Spirit: Promoting Mental Health And Addictions Recovery In The Northwest Territories, Strategic Framework 2016-2021* focusses on prevention and early intervention; a recovery-oriented system; and personal experience and outcomes. It sets the stage for the development of three specific action plans: Child and Youth Mental Wellness; Addictions Recovery; and Mental Health Services;
- Prevention, early detection and treatment are central to the *Action Plan for Mental Health in New Brunswick* 2011-18. The goals of the plan include an emphasis on mental-health promotion, change in service delivery of all sectors, early identification and effective intervention, and a shift in the attitudes and values of residents.

118. The Mental Health Commission of Canada's report, *Changing Directions, Changing Lives*, provides recommendations for action by PT governments and non-governmental organizations.

F. Advancing respect for human rights internationally

International assistance

119. Canada's Feminist International Assistance Policy recognizes that gender equality and the empowerment of women and girls is the most effective way to reduce extreme poverty and build a more peaceful, inclusive and prosperous world. Canada provides international assistance that is human rights-based and inclusive through six action areas: Gender Equality and the Empowerment of Women and Girls; Human Dignity; Growth that Works for Everyone; Environment and Climate Action; Inclusive Governance; and Peace and Security.

Corporate social responsibility

120. Initiatives announced on January 17, 2018, will strengthen Canada's approach to responsible business conduct for Canadian companies doing business and operating abroad. The independent Canadian Ombudsperson for Responsible Enterprise (CORE) will investigate allegations of human rights abuses linked to Canadian corporate activity abroad and will assist wherever possible in collaboratively resolving disputes or conflicts between impacted communities and Canadian companies. It will independently investigate, report, recommend remedy and monitor its implementation. A multi-stakeholder Advisory Body will advise the Government and the CORE on responsible business conduct abroad.

5. The Committee on Economic, Social and Cultural Rights was concerned that despite certain promising developments, economic, social and cultural rights remained generally non-justiciable in domestic courts.[7]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination[8]

6. The Committee on the Elimination of Racial Discrimination regretted the absence of recent reliable and comprehensive statistical data on the ethnic composition of the population.[9] The Working Group of Experts on People of African Descent recommended implementing a nationwide mandatory policy on the collection of data, disaggregated by race, colour, ethnic background, national origin and other identities.[10]

7. The Committee on the Elimination of Racial Discrimination was concerned that racist hate crimes continued to be underreported, and about the 61 per cent increase in reports of racist hate crimes against Muslims.[11] The Working Group of Experts on People of African Descent was deeply concerned that the Black population was the most highly targeted group, experiencing 44 per cent of racial hate crimes.[12]

8. The Committee on the Elimination of Racial Discrimination was concerned by reports that racial profiling by the police, security agencies and border agents continued on a daily basis, with a harmful impact on indigenous peoples, as well as on ethnic minority Muslims, African Canadians and other ethnic minority groups.[13] The Working Group of Experts on People of African Descent indicated that arbitrary use of "carding", or street checks — the police practice of stopping, questioning and documenting people suspected of a crime — disproportionately affected people of African descent.[14]

9. The Special Rapporteur on the rights of indigenous peoples noted the enactment of legislation remediating some of the discriminatory effects of historical provisions that had revoked the Indian status of women — and all their descendants — who had married non-status men, while granting status to non-aboriginal women who had married status Indians. He indicated that unfortunately some classes of people continued to be excluded from status on the basis of the historical discrimination against matrilineal descent.[15] The Committee on Economic, Social and Cultural Rights was also concerned about the remaining gender-based discriminatory provisions and recommended that Canada repeal the remaining discriminatory provisions in the Indian Act.[16] The Committee on the Elimination of Discrimination against Women and the Human Rights Committee made similar recommendations.[17]

2. Development, the environment, and business and human rights[18]

10. The Committee on Economic, Social and Cultural Rights recommended that Canada raise the official development assistance level to meet the internationally recognized target of 0.7 per cent of gross national income, and pursue a human rights-based approach in its development cooperation policy.[19]

11. The Committee on Economic, Social and Cultural Rights was concerned that regulations governing environmental protection had been weakened in recent years and recommended that Canada further strengthen its legislation and regulations to ensure that environmental impact assessments, in accordance with its international obligations, were regularly carried out in the context of extractive industries.[20]

12. The Committee on the Elimination of Racial Discrimination reiterated its recommendation that Canada ensure access to justice through judicial and non-judicial remedies for violations of rights of persons by transnational corporations registered in Canada, operating abroad.[21] The Committee on Economic, Social and Cultural Rights recommended that Canada strengthen its legislation governing the conduct of corporations

registered or domiciled in Canada in their activities abroad.[37] The Working Group on the issue of human rights and transnational corporations and other business enterprises encouraged the federal Government to examine how it might use regulatory measures focused on mandatory due diligence and non-financial disclosure as means of promoting respect for human rights.[38]

3. Human rights and counter-terrorism

13. The Human Rights Committee recommended that Canada ensure that its anti-terrorism legislation provided adequate legal safeguards and did not undermine the exercise of the rights protected under the Covenant, provided adequate safeguards to ensure that information-sharing did not result in human rights abuses, and established a clear procedure allowing persons placed on the no-fly list to be able to challenge such a decision through judicial review.[39]

B. Civil and political rights

1. Right to life, liberty and security of person

14. The Working Group of Experts on People of African Descent was concerned about excessive use of force and police-involved deaths, especially when responding to cases involving vulnerable people of African descent, such as those who were mentally ill.[40]

15. The Human Rights Committee was concerned about the high level of overcrowding in some detention facilities; the many cases of administrative or disciplinary segregation (solitary confinement), sometimes for long periods of time, including of detainees with mental illness; reports of insufficient medical support to detainees with serious mental illness; and reported suicides in detention.[41] The Committee on the Elimination of Racial Discrimination was concerned at reports that both African Canadian and indigenous offenders were overrepresented in segregation, including indigenous inmate women.[42]

16. The Committee on the Elimination of Racial Discrimination recommended that Canada limit the use of segregation to exceptional circumstances, as a last resort and for as short a time as possible, in line with the United Nations Standard Minimum Rules for the Treatment of Prisoners.[43] The Human Rights Committee made a similar recommendation and furthermore recommended taking effective measures to reduce overcrowding and improve access to treatment for prisoners with mental health issues.[44]

17. The Committee on the Rights of Persons with Disabilities was concerned about involuntary detention of persons with psychosocial disabilities in psychiatric institutions on the basis of impairment, across various Canadian jurisdictions; the lack of reasonable accommodation for women with disabilities within the federal prison system; and the adverse effect of their administrative segregation within detention facilities.[45]

2. Administration of justice, including impunity, and the rule of law

18. The Committee on the Elimination of Discrimination against Women recommended that Canada increase funding for civil legal aid in order to ensure that women had access to adequate legal aid in all jurisdictions, in particular victims of violence, and that it review criteria applied in income tests for eligibility to ensure access to civil legal aid, especially in the area of family law, for all women without sufficient means.[46]

19. The Committee on the Elimination of Racial Discrimination was concerned at the reportedly high rate of incarceration of indigenous peoples and persons belonging to minority groups, in particular African Canadians, and of minorities with mental or intellectual impairments.[47] The Committee on the Elimination of Discrimination against Women was also concerned at the high and rising incarceration rates of indigenous and African Canadian women.[48] The Special Rapporteur on indigenous peoples noted that aboriginal women had been the fastest-growing population in federal prisons.[49]

20. The Committee on the Elimination of Racial Discrimination recommended that Canada address the root causes of overrepresentation of African Canadians and indigenous peoples at all levels of the justice system, from arrest to incarceration, such as by eliminating poverty, providing better social services, re-examining drug policies and providing evidence-based alternatives to incarceration for non-violent drug users.[42]

21. The Committee on the Elimination of Discrimination against Women recommended that Canada repeal mandatory minimum sentencing for minor, non-violent drug-related offences.[43]

22. The Working Group of Experts on People of African Descent recommended developing and implementing an African Canadian justice strategy to address the anti-Black racism and discrimination within the criminal justice system.[44]

23. The Committee on the Elimination of Discrimination against Women was concerned about the high rates of HIV among female inmates and recommended that Canada expand care, treatment and support services to women in detention living with or vulnerable to HIV.[45]

3. Fundamental freedoms and the right to participate in public and political life[46]

24. The United Nations Educational, Scientific and Cultural Organization (UNESCO) encouraged Canada to decriminalize the defamation law and subsequently incorporate it into the civil code in accordance with international standards.[47]

25. The Human Rights Committee was concerned about reports of the excessive use of force by law enforcement officers during mass arrests in the context of protests at the federal and provincial levels including concerning indigenous land-related protests.[48]

26. The Committee on the Elimination of Discrimination against Women commended Canada on the appointment of a Cabinet with gender parity. Nevertheless, the Committee remained concerned about the structural obstacles to the realization of women's political rights and engagement in public life.[49]

4. Prohibition of all forms of slavery[50]

27. The Committee on the Elimination of Discrimination against Women was concerned about the lack of adequate mechanisms to identify and refer victims of trafficking in need of protection; reports that indigenous women and girls in foster care and in the child welfare system were particularly vulnerable to sex trafficking; and the potentially increased risk to the security and health of women in prostitution, in particular indigenous women, brought about by the criminalization of prostitution under certain circumstances as provided for in the new legislation.[51]

28. The Committee on the Elimination of Discrimination against Women recommended that Canada address the root causes of trafficking and of the exploitation of women and girls in prostitution by adopting and implementing adequately resourced programmes and other appropriate measures to create educational and employment opportunities for women at risk of being trafficked or of entering into prostitution.[52]

29. The Committee on the Elimination of Discrimination against Women was concerned about the low rates of prosecution and conviction in cases of trafficking in women and girls and recommended that Canada investigate, prosecute and adequately punish all cases of trafficking in persons.[53]

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work[54]

30. The Committee on Economic, Social and Cultural Rights was concerned that in all provinces the minimum wage remained inadequate and fell short of living costs, and recommended that Canada ensure that it was increased in all jurisdictions and adjusted and

regularly indexed to the cost of living, so as to allow a decent living for all workers and their families.[56]

31. The Committee on the Elimination of Racial Discrimination was concerned by reports of discriminatory hiring practices and discrimination in the workplace faced by ethnic minorities, migrants and indigenous peoples, and of high rates of unemployment of educated ethnic minorities.[57]

32. The Working Group of Experts on People of African Descent noted the disproportionately high unemployment rates among African Canadians, many of whom were forced to take low-paying jobs with little security and poor prospects.[58] It indicated that long-term anti-poverty strategies should target the specific needs of African Canadians.[59] The Committee on Economic, Social and Cultural Rights recommended that Canada step up efforts to address unemployment faced by disadvantaged and marginalized groups and take measures to ensure the adoption of employment equity legislative and policy measures in all jurisdictions.[60]

33. The Committee on Economic, Social and Cultural Rights was concerned that women were overrepresented in part-time work and in low-paid sectors, thus perpetuating the gender segregation in the workplace and the gender wage gap.[61] The Committee on the Elimination of Discrimination against Women was concerned at the persistence of the gender wage gap and recommended adopting legislation in the federal jurisdiction and in all provincial and territorial jurisdictions on the principle of equal pay for work of equal value, and increasing the minimum wage, which many women disproportionately received, and creating more opportunities for women to gain access to full-time employment, including by adopting a rights-based national childcare framework in order to provide sufficient and adequate childcare facilities.[62]

2. Right to social security[63]

34. The Committee on Economic, Social and Cultural Rights was concerned at the inadequate social assistance rates in all provinces and for all households and at the lack of accountability provisions in the Federal Social Transfer, and recommended that Canada ensure that social assistance rates were increased in all provinces to levels that allowed a decent living for beneficiaries and their families.[64]

3. Right to an adequate standard of living[65]

35. Considering the advanced level of development of Canada, the Committee on Economic, Social and Cultural Rights was concerned about the significant number of people living in poverty. It was also concerned that indigenous peoples, persons with disabilities, single mothers and minority groups continued to experience higher rates of poverty, and at the limited effectiveness of measures taken to address that issue.[66]

36. The Special Rapporteur on indigenous peoples highlighted the distressing socioeconomic conditions of indigenous peoples. He took note of statistics indicating that of the bottom 100 Canadian communities on the Community Well-Being Index, 96 were First Nations and only one First Nation community was in the top 100. The Special Rapporteur stated, however, that it did not appear that Canada had dedicated greater resources to social services for indigenous peoples.[67]

37. The Working Group of Experts on People of African Descent indicated that anti-Black racism continued to be systemic, leaving African Canadians among the poorest communities in Canada. It also noted reports indicating a pattern of steady decline in the economic situation, and increasing poverty, of African Canadians.[68]

38. The Committee on the Rights of Persons with Disabilities was concerned at the fact that nearly 15 per cent of persons with disabilities lived in poverty or extreme poverty and that many persons with disabilities, including persons with psychosocial and intellectual disabilities, faced homelessness. It was also concerned that financial support was insufficient to guarantee an adequate standard of living for persons with disabilities.[69]

39. The Committee on Economic, Social and Cultural Rights recommended that Canada take all measures necessary to combat poverty more effectively while paying particular attention to groups and individuals who were more vulnerable to poverty.[70]

40. The Committee on Economic, Social and Cultural Rights was concerned at the increasing number of homeless persons in Canada, the lack of adequate measures to prevent homelessness, the shortage of adequate emergency shelters and the existence of anti-camping and other by-laws that penalized homeless persons in some jurisdictions.[71]

41. The Special Rapporteur on indigenous peoples indicated that the housing situation in Inuit and First Nations communities had reached crisis level. Overcrowded housing was endemic and homes were in need of major repairs. Those conditions added to the broader and troubling water situation in First Nations reserves, in which more than half of the water systems posed a medium or high health risk to their users.[72] The Committee on Economic, Social and Cultural Rights expressed similar concerns and urged Canada to intensify its efforts to address the indigenous peoples' housing crisis and to live up to its commitment to ensure access to safe water and to sanitation for the First Nations.[73]

42. In 2017, the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, commended Canada for announcing the adoption of its first-ever national housing strategy. She noted that the strategy focused on particularly vulnerable groups, and was aimed at addressing issues including homelessness, housing affordability, inadequate housing conditions, and insufficient supply of social housing stock. However, she was disappointed by the Government's failure to commit to ending all forms of homelessness by 2030 in keeping with Sustainable Development Goal 11. She expressed the hope that Canada would revisit this before finalizing the strategy.[74]

4. Right to health[75]

43. The Committee on the Elimination of Discrimination against Women welcomed the commitment of Canada to reviewing its drug policy with a view to shifting from a criminal to a public health and harm reduction approach. Nevertheless, the Committee was concerned about the significant legislative and administrative barriers to access to supervised consumption services, especially in the light of the continuing nationwide opioid overdose crisis.[76] The Committee recommended that Canada define harm reduction as a key element of its federal strategy on drugs, establish a transparent process for exemptions permitting the operation of supervised consumption services without the risk of criminal prosecution, and take measures to prevent overdose deaths.[77]

44. The Committee on Economic, Social and Cultural Rights was concerned that undocumented immigrants in Canada were denied access to health care.[78]

45. The Committee on the Rights of Persons with Disabilities was concerned that persons with disabilities continued to face physical, financial and attitudinal barriers in accessing information and health-care services, including with regard to sexual and reproductive health and rights, and notably abortion, and that the cost of medication remained a significant obstacle.[79]

46. The Special Rapporteur on indigenous peoples indicated that although overall the health situation of indigenous peoples had improved in recent years, significant gaps still remained in the health outcomes of aboriginal as compared to non-aboriginal Canadians. He noted that health care for aboriginal people was delivered through a complex array of federal, provincial and aboriginal services, and that concerns had been raised about the adequacy of coordination among them.[80]

5. Right to education[81]

47. The Committee on the Elimination of Racial Discrimination was concerned at the reported disparity in resource allocation for education and the lack of sufficient funding of mother tongue education programmes, leading to unequal access to quality education, especially for African Canadian and indigenous children, which contributed to future socioeconomic disparity among those groups.[82]

48. The Committee on Economic, Social and Cultural Rights was concerned at the high dropout rates of African Canadian children at all school levels.[84] The Working Group of Experts on People of African Descent recommended that Canada strengthen special measures to increase the level of educational attainment of African Canadian children, in particular by preventing their marginalization and reducing their dropout rates.[85]

49. The Special Rapporteur on indigenous peoples noted that at every level of education, indigenous people overall continued to lag far behind the general population. Government representatives had attributed the gap in educational achievement in large measure to high levels of poverty, the historical context of residential schools, and systemic racism. The Special Rapporteur also noted that numerous First Nations leaders had alleged that federal funding for primary, secondary and post-secondary education was inadequate.[86]

50. UNESCO indicated that during the previous universal periodic review cycle a large number of recommendations on the issue of education[87] had concerned aboriginal, First Nations and other indigenous communities, notably in terms of access, empowerment, non-discrimination and inclusion. Since education was regulated at the provincial and territorial levels, most measures had been introduced at those levels, with the exception of a few nationwide measures.[87] UNESCO recommended that Canada take further measures to make education equally accessible for aboriginal students, to pursue financial support for their education and to ensure that education was culturally acceptable to them.[88]

51. UNESCO indicated that although inclusion of students with special needs existed to varying degrees in all provinces and territories, no federal legislation protected explicitly the right of children with disabilities to inclusive education.[89] The Committee on the Rights of Persons with Disabilities was concerned about the persistence of segregated special education environments for students with disabilities who required a high level of support or when it was considered that a student with disabilities may interfere in the educational process of his or her peers. The Committee recommended that Canada promote the enrolment in education of all persons with disabilities.[90]

52. UNESCO recommended that Canada place more emphasis on the principles of non-discrimination and inclusion in education, especially for minority groups and persons with disabilities.[91]

53. The Committee on the Elimination of Discrimination against Women was concerned at the high number of girls who suffered from discrimination and sexual harassment in schools and the disproportionate number of migrant, refugee, asylum-seeking and indigenous girls, as well as girls with disabilities, who continued to face difficulties in gaining access to high-quality education.[92] The Committee on Economic, Social and Cultural Rights was concerned about reports of barriers for children whose parents had no legal status to access schooling.[93]

D. Rights of specific persons or groups

1. Women[94]

54. The Committee on Economic, Social and Cultural Rights was concerned about the persistence of violence against women, which was particularly prevalent among indigenous women and girls and was further exacerbated by the economic insecurity of women.[95] The same Committee recommended that Canada step up its efforts to protect victims of violence, including by ensuring the availability of a sufficient number of adequate shelters for victims of violence, as well as long-term housing solutions and adequate social assistance.[96] The Human Rights Committee recommended that Canada take measures to effectively enforce its criminal legislation at the federal, provincial and territorial levels, and that it ensure effective application of the Victims Bill of Rights Act.[97] The Committee on the Elimination of Discrimination against Women recommended that Canada expeditiously adopt a national action plan, in consultation with civil society organizations, especially indigenous women's organizations, to combat gender-based violence against women.[98]

55. In its 2015 report on its inquiry concerning Canada, the Committee on the Elimination of Discrimination against Women noted reports that aboriginal women and girls experienced extremely high levels of violence in Canada, as shown by the high number of disappearances and murders of aboriginal women, noting that they reported rates of violence, including domestic violence and sexual assault, that were 3.5 times higher than those for non-aboriginal women.[99] The Committee issued recommendations to Canada concerning — inter alia — data collection, police investigations and law enforcement, access to justice, victim services, aboriginal women in prostitution and trafficking, and improving the socioeconomic conditions of aboriginal women.[100]

56. In 2016, the Committee on the Elimination of Discrimination against Women commended Canada on its decision in 2015 to establish a national inquiry into missing and murdered indigenous women and girls, which had been one of the main recommendations arising from the Committee's inquiry. However, the Committee was concerned about the insufficient measures taken to ensure that all cases of missing and murdered indigenous women were duly investigated and prosecuted and about the absence of an action plan or coordinated mechanism to oversee the implementation of the outstanding 37 recommendations it had issued.[101] While welcoming the national inquiry, the Committee on the Elimination of Racial Discrimination was concerned at the lack of an independent mechanism to re-examine cases where there was evidence of inadequate or biased investigations, and at the failure to provide regular progress reports and to build transparent and accountable relationships with survivors, families and stakeholders.[102]

57. The Committee on the Elimination of Discrimination against Women recommended that Canada fully implement, without delay, all recommendations issued by the Committee in its report on its inquiry, that it ensure that all cases of missing and murdered indigenous women were duly investigated and prosecuted, and that it complement the terms of reference of the national inquiry.[103]

2. Children[104]

58. The Working Group of Experts on People of African Descent was concerned by reports that, across Canada, African Canadian children were taken from their parents by child welfare agencies on dubious grounds without respect for the extended care opportunities that existed in African Canadian families and communities.[105] It indicated that Canada should adopt effective measures to address the root causes of overrepresentation of African Canadian children in childcare institutions. All efforts should be taken to keep the family together and alternatives to removing the child from his or her parents should be considered.[106]

59. The Committee on Economic, Social and Cultural Rights was concerned at the higher likelihood of indigenous children being placed in childcare institutions, which was further exacerbated by the inadequate funding for child welfare services to indigenous peoples living on reserves.[107]

60. The Committee on the Elimination of Racial Discrimination was alarmed that despite its previous recommendation and multiple decisions by the Canadian Human Rights Tribunal, less money was reportedly provided for child and family services for indigenous children than for children in other communities, and that this gap was continuing to grow.[108] It recommended that Canada fully comply with and implement the January 2016 ruling and subsequent non-compliance orders, of the Canadian Human Rights Tribunal; and ensure that all children, on and off reserve, had access to all services available to other children in Canada, without discrimination.[109]

3. Persons with disabilities[110]

61. The Committee on the Rights of Persons with Disabilities was concerned about the persisting gaps in the exercise and enjoyment of rights by persons with disabilities, such as the rights to education, work and employment and an adequate standard of living, due to, among other things, a lack of affordable housing and of access to water and sanitation. It recommended that Canada adopt cross-sectoral strategies with a view to combating inequality and discrimination faced by persons with disabilities through, inter alia,

affirmative action measures that included clear targets and the collection of data on progress achieved.[111]

4. Minorities and indigenous peoples

62. The Committee on Economic, Social and Cultural Rights was concerned about the inadequate funding for and promotion of African art and culture, which added to the structural discrimination faced by that group in the enjoyment of economic, social and cultural rights in Canada.[112]

63. The Special Rapporteur on indigenous peoples indicated that approximately 90 aboriginal languages were spoken in Canada and that two thirds of those languages were endangered, due in no small part to the intentional suppression of indigenous languages during the Indian residential school era.[113]

64. The Special Rapporteur on indigenous peoples indicated that the relationship of Canada with the indigenous peoples within its borders was governed by a well-developed legal framework and a number of policy initiatives that in many respects were protective of indigenous peoples' rights. He noted, however, that daunting challenges remained and that the numerous initiatives that had been taken at the federal and the provincial and territorial levels to address the problems faced by indigenous peoples had been insufficient.[114]

65. The Special Rapporteur on indigenous peoples stated that a particularly distressing part of the history of human rights violations had been the residential school era (from 1874 to the 1970s, with some schools operating until 1996), during which indigenous children had been forced from their homes into institutions, the explicit purpose of which had been to destroy their family and community bonds, their languages, their cultures and even their names.[116]

66. The Working Group on the issue of human rights and transnational corporations and other business enterprises noted that in 2015, the Truth and Reconciliation Commission had presented its final report, to shed light on the colonial history of a more than century-long policy to eliminate indigenous cultures and governments.[117] The Committee on the Elimination of Racial Discrimination recommended developing an action plan to implement the Truth and Reconciliation Commission's 94 calls to action, in consultation with indigenous peoples.[118]

67. The Committee on Economic, Social and Cultural Rights was concerned that the right of indigenous peoples to free, prior and informed consent to any change to their lands and territories was not adequately incorporated in domestic legislation and not consistently applied. The Committee also remained concerned about the lack of formal mechanisms and processes to enable meaningful consultation with indigenous peoples, particularly in the context of the operation of extractive industries.[119]

68. The Committee on the Elimination of Racial Discrimination was concerned that violations of the land rights of indigenous peoples continued; in particular, environmentally destructive decisions for resource development which affected their lives and territories continued to be undertaken without the free, prior and informed consent of the indigenous peoples. Costly, time-consuming and ineffective litigation was often the only remedy, in place of seeking such consent.[120] The Human Rights Committee made similar observations and was also concerned about reports of the potential extinguishment of indigenous land rights and titles.[121]

69. The Committee on the Elimination of Racial Discrimination recommended that Canada prohibit the environmentally destructive development of the territories of indigenous peoples, and allow indigenous peoples to conduct independent environmental impact studies; end the substitution of costly legal challenges as post facto recourse in place of obtaining meaningful free, prior and informed consent; and incorporate the free, prior and informed consent principle in the Canadian regulatory system.[122]

70. The Committee on the Elimination of Racial Discrimination noted information it had received that permits had been issued and construction commenced at the Site C dam, despite the vigorous opposition of indigenous peoples affected by this project. It recommended that Canada immediately suspend all permits and approvals for the

construction of the Site C dam and identify alternatives to the irreversible destruction of indigenous lands and subsistence caused by this project.[123]

71. Noting information received about the impact of the Mount Polley mining disaster on indigenous peoples in the area, the same Committee recommended that Canada publicly release the results of any government studies of the Mount Polley disaster and the criminal investigation into the disaster, before the statute of limitations for charges under the relevant acts expired.[124]

5. Migrants, refugees, asylum seekers and internally displaced persons[125]

72. The Working Group of Experts on People of African Descent noted that seasonal migrant workers of African descent were often subjected to deplorable working conditions. It indicated that many such workers were denied access to basic health services and that although they were required to pay into Canadian social benefit programmes, often they could not access those programmes.[126] The Committee on the Elimination of Racial Discrimination recommended that Canada reform current policies and measures to ensure protection of temporary migrant workers and that it grant them access to health services and employment and pension benefits.[127]

73. The Committee on Economic, Social and Cultural Rights remained concerned that certain categories of foreign workers, including temporary and seasonal migrant workers, were vulnerable to exploitation by employers, especially as their work permit was tied to a specific employer.[128] The Committee on the Elimination of Discrimination against Women was concerned about the practice of issuing employer-specific closed work permits, which made it challenging for migrant workers, including caregivers, to leave abusive employment situations. It recommended that Canada discontinue the use of such permits in the Temporary Foreign Workers Program, thereby enabling migrant domestic workers to freely change employers and thus improving their working and living conditions and reducing the risk of abuse.[129]

74. The Human Rights Committee was concerned that any migrant and asylum seeker designated as an "irregular arrival" would be subject to mandatory detention until his or her status was established, and would not enjoy the same rights as those who had arrived "regularly". It was also concerned about exceptions to the principle of non-refoulement in the Immigration and Refugee Protection Act and recommended that Canada consider amending subsection 115 (2) of the Act to fully comply with the principle of non-refoulement.[130]

75. The Committee on the Elimination of Racial Discrimination noted that in the context of limitations in the Safe Third Country Agreement, there was reportedly a sharp rise in the number of asylum seekers attempting to enter the Canada through irregular border crossings, in dangerous or life-threatening conditions. The Committee recommended that Canada rescind or at least suspend the Safe Third Country Agreement to ensure that all individuals who attempted to enter Canada through a land border were provided with equal access to asylum proceedings.[131]

76. The Office of the United Nations High Commissioner for Refugees (UNHCR) stated that in 2012 Canada had undergone a major refugee reform, and noted a number of positive changes for asylum seekers. However, the reform had led to new strains on the asylum system, as it had had to comply with shorter timelines and inadequate funding to recruit sufficient decision-makers. UNHCR noted that in the first year after the reform, asylum claims had dropped dramatically, but that since 2014, asylum claims had steadily been increasing.[132] UNHCR recommended that Canada reinforce strategies to reduce the Immigration and Refugee Board's current backlog and prevent additional delays in asylum procedures.[133]

77. UNHCR stated that the Canada Border Services Agency had made progress in its stated objective of creating a better and fairer immigration detention system policy. It also indicated that the Agency had significantly reduced the detention of children in recent years and was resorting more frequently to alternatives to detention.[134]

78. UNHCR noted, nevertheless, that several protection gaps remained. First, there was no provision in the law that limited the length of detention, so individuals could be detained for lengthy periods of time, including for administrative reasons, such as inability to remove them from Canada for lack of travel documents. Second, while the law provided that children should only be detained as a measure of last resort, taking into account their best interests, there was no assessment procedure in place. Third, there was no uniform or consistent national practice for the use of alternatives to detention and there was a limited number of alternative options available.[110]

79. UNHCR recommended that Canada adhere to the principle that detention of asylum seekers and refugees should be used only as a measure of last resort, and that it progressively end the detention of asylum-seeking and refugee children, establishing and implementing alternatives to detention that fully considered their best interests.[111] The Committee on the Elimination of Racial Discrimination made a similar recommendation.[112]

6. Stateless persons[113]

80. UNHCR noted that there was no specific mechanism to determine and address statelessness in Canada because the Government considered that the refugee determination system, or an application for permanent residence based on humanitarian and compassionate considerations, adequately responded to the situation of stateless persons. However, that process did not contain statelessness among the criteria upon which legal status could be granted and, therefore, the majority of humanitarian and compassionate claims submitted by stateless persons were rejected. UNHCR recommended that Canada establish a statelessness determination procedure and a protected "stateless person status", and that it facilitate the naturalization procedure for stateless persons.[114]

Notes

[1] Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Canada will be available at www.ohchr.org/EN/Countries/LACRegion/Pages/CAIndex.aspx.
[2] For relevant recommendations, see A/HRC/24/11, paras. 128.1–128.15, 128.27–128.36, 128.47, 128.53, 128.60, 128.77, 128.101–128.112 and 128.115.
[3] See CEDAW/C/CAN/CO/8-9, para. 57; CERD/C/CAN/CO/21-23, para. 34; and A/HRC/36/60/Add.1, para. 85 (a).
[4] See E/C.12/CAN/CO/6, para. 20; CERD/C/CAN/CO/21-23, para. 35; and CEDAW/C/CAN/CO/8-9, para. 29.
[5] See CERD/C/CAN/CO/21-23, para. 34.
[6] Ibid., para. 35.
[7] See E/C.12/CAN/CO/6, para. 61; CERD/C/CAN/CO/21-23, para. 35; and A/HRC/36/60/Add.1, para. 85 (a).
[8] See UNHCR submission for the universal periodic review of Canada, p. 4.
[9] *OHCHR Report 2016*, pp. 78–79, 83–84, 113 and 117; *OHCHR Report 2015*, pp. 61, 67 and 94; *OHCHR Report 2014*, pp. 63, 69 and 74; and *OHCHR Report 2013*, pp. 131, 137 and 142.
[10] For relevant recommendations, see A/HRC/24/11, paras. 128.27–128.30, 128.60–128.61, 128.66–128.67 and 128.119–128.120.
[11] See CRPD/C/CAN/CO/1, para. 58.
[12] See E/C.12/CAN/CO/6, para. 5.
[13] For relevant recommendations, see A/HRC/24/11, paras. 128.17–128.20, 128.23–128.26 and 128.37–128.52.
[14] See CERD/C/CAN/CO/21-23, paras. 5–6.
[15] See A/HRC/36/60/Add.1, para. 86.
[16] See CERD/C/CAN/CO/21-23, para. 13.
[17] See A/HRC/36/60/Add.1, para. 49.
[18] See CERD/C/CAN/CO/21-23, para. 15.
[19] See A/HRC/36/60/Add.1, para. 35 and 78.
[20] See A/HRC/27/52/Add.2, para. 55.
[21] See E/C.12/CAN/CO/6, paras. 21–22.
[22] See CEDAW/C/CAN/CO/8-9, para. 13; and CCPR/C/CAN/CO/6, para. 17.
[23] For relevant recommendations, see A/HRC/24/11, paras. 128.151–128.152.

[5] See E/C.12/CAN/CO/6, para. 12.
[6] Ibid., para. 53.
[7] See CERD/C/CAN/CO/21-23, paras. 21–22. See also CCPR/C/CAN/CO/6, para. 6.
[8] See E/C.12/CAN/CO/6, para. 16.
[9] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21680&LangID=E.
[10] For relevant recommendations, see A/HRC/24/11, paras. 128.153–128.157 and 128.162.
[11] See CCPR/C/CAN/CO/6, para. 10.
[12] For relevant recommendations, see A/HRC/24/11, paras. 128.22, 128.101, 128.121, 128.148, 128.155–128.156 and 128.158–128.162.
[13] See A/HRC/36/60/Add.1, para. 78.
[14] See CCPR/C/CAN/CO/6, para. 14.
[15] See CERD/C/CAN/CO/21-23, para. 15. See also A/HRC/36/60/Add.1, para. 79.
[16] See CERD/C/CAN/CO/21-23, para. 16. See also A/HRC/36/60/Add.1, para. 79.
[17] See CCPR/C/CAN/CO/6, para. 14.
[18] See CRPD/C/CAN/CO/1, para. 31.
[19] For relevant recommendations, see A/HRC/24/11, paras. 128.45, 128.54, 128.98, 128.102–128.103, 128.122 and 128.158–128.160.
[20] See CEDAW/C/CAN/CO/8-9, para. 15.
[21] See CERD/C/CAN/CO/21-23, para. 15. See also A/HRC/36/60/Add.1, para. 79.
[22] See CEDAW/C/CAN/CO/8-9, para. 48.
[23] See A/HRC/27/52/Add.2, para. 32.
[24] See CERD/C/CAN/CO/21-23, para. 16. See also CCPR/C/CAN/CO/6, para. 18.
[25] See CEDAW/C/CAN/CO/8-9, para. 45.
[26] See A/HRC/36/60/Add.1, para. 89 (a).
[27] See CEDAW/C/CAN/CO/8-9, paras. 48–49.
[28] For relevant recommendations, see A/HRC/24/11, paras. 128.18, 128.51 and 128.162.
[29] See UNESCO submission for the universal periodic review of Canada, para. 20.
[30] See CCPR/C/CAN/CO/6, para. 11.
[31] See CEDAW/C/CAN/CO/8-9, paras. 34–35. See also CCPR/C/CAN/CO/6, para. 7.
[32] For relevant recommendations, see A/HRC/24/11, paras. 128.107–128.111.
[33] See CEDAW/C/CAN/CO/8-9, para. 32.
[34] Ibid., para. 33.
[35] Ibid., paras. 32–33.
[36] For relevant recommendations, see A/HRC/24/11, paras. 128.25, 128.55 and 128.71–128.72.
[37] See E/C.12/CAN/CO/6, paras. 25–26.
[38] See CERD/C/CAN/CO/21-23, para. 31.
[39] See A/HRC/36/60/Add.1, paras. 57 and 80.
[40] Ibid., para. 94 (a).
[41] See E/C.12/CAN/CO/6, para. 24.
[42] Ibid., para. 21. See also CCPR/C/CAN/CO/6, para. 7.
[43] See CEDAW/C/CAN/CO/8-9, paras. 38–39.
[44] For relevant recommendations, see A/HRC/24/11, paras. 128.60, 128.64 and 128.128–128.129.
[45] See E/C.12/CAN/CO/6, paras. 29–30.
[46] For relevant recommendations, see A/HRC/24/11, paras. 128.57, 128.62, 128.67–128.70, 128.123–128.127 and 128.130–128.133.
[47] See E/C.12/CAN/CO/6, para. 37.
[48] See A/HRC/27/52/Add.2, paras.15–16.
[49] See A/HKC/36/60/Add.1, paras. 53–54.
[50] See CRPD/C/CAN/CO/1, para. 49.
[51] See E/C.12/CAN/CO/6, para. 38.
[52] Ibid., para. 41.
[53] See A/HRC/27/52/Add.2, para. 24.
[54] See E/C.12/CAN/CO/6, paras. 43–44.
[55] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22435&LangID=E.
[56] For relevant recommendations, see A/HRC/24/11, paras. 128.73–128.76 and 128.127.
[57] See CEDAW/C/CAN/CO/8-9, para. 44.
[58] Ibid., para. 45. See also E/C.12/CAN/CO/6, para. 50.
[59] See E/C.12/CAN/CO/6, para. 49.
[60] See CRPD/C/CAN/CO/1, paras. 45–46.
[61] See A/HRC/27/52/Add.2, para. 29–30.
[62] For relevant recommendations, see A/HRC/24/11, paras. 128.47, 128.72, 128.75, 128.134–128.144 and 128.149.

[82] See CERD/C/CAN/CO/21-23, para. 29.
[83] See E/C.12/CAN/CO/6, para. 55.
[84] See A/HRC/36/60/Add.1, para. 94(c).
[85] See A/HRC/27/52/Add.2, paras. 17 and 20.
[86] For relevant recommendations, see A/HRC/24/11, paras. 128.47, 128.72, 128.75, 128.135–128.144 and 128.149.
[87] See UNESCO submission, para. 11.
[88] Ibid., para. 19.2.
[89] Ibid., para. 18.
[90] See CRPD/C/CAN/CO/1, paras. 43–44.
[91] See UNESCO submission, para. 19.3.
[92] See CEDAW/C/CAN/CO/8-9, para. 36.
[93] See E/C.12/CAN/CO/6, para. 55.
[94] For relevant recommendations, see A/HRC/24/11, paras.128.57–128.59, 128.71 and 128.79–128.107.
[95] See E/C.12/CAN/CO/6, para. 33.
[96] Ibid., para. 34.
[97] See CCPR/C/CAN/CO/6, para. 8.
[98] See CEDAW/C/CAN/CO/8-9, para. 25.
[99] See CEDAW/C/OP.8/CAN/1, para. 3. See also CEDAW/C/OP.8/CAN/2 and CEDAW/C/OP.8/CAN/3.
[100] See CEDAW/C/OP.8/CAN/1, paras. 216–220; CEDAW/C/OP.8/CAN/2; and CEDAW/C/OP.8/CAN/3.
[101] See CEDAW/C/CAN/CO/8-9, para. 26.
[102] See CERD/C/CAN/CO/21-23, para. 23.
[103] See CEDAW/C/CAN/CO/8-9, paras. 26–27. See also CEDAW/C/OP.8/CAN/1, paras. 216–220; CEDAW/C/OP.8/CAN/2; and CEDAW/C/OP.8/CAN/3.
[104] For relevant recommendations, see A/HRC/24/11, paras. 128.60, 128.92, 128.97, 128.109–128.120 and 128.128–128.129.
[105] See A/HRC/36/60/Add.1, para. 68.
[106] Ibid. See also E/C.12/CAN/CO/6, para. 36.
[107] See E/C.12/CAN/CO/6, para. 35.
[108] See CERD/C/CAN/CO/21-23, para. 27.
[109] Ibid., para. 28.
[110] For relevant recommendations, see A/HRC/24/11, paras. 128.141–128.145.
[111] See CRPD/C/CAN/CO/1, paras. 13–14.
[112] For relevant recommendations, see A/HRC/24/11, paras. 128.45–128.47, 128.49, 128.53–124.54, 128.57, 128.59–128.80, 128.83–128.106, 128.123, 128.127, 128.129, 128.132 and 128.134–128.139.
[113] See E/C.12/CAN/CO/6, para. 59.
[114] See A/HRC/27/52/Add.2, para. 23. See also E/C.12/CAN/CO/6, paras. 59–60.
[115] See A/HRC/27/52/Add.2, paras. 80–81.
[116] Ibid., para. 5.
[117] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21680&LangID=E.
[118] See CERD/C/CAN/CO/21-23, para. 18.
[119] See E/C.12/CAN/CO/6, para. 13. See also CCPR/C/CAN/CO/6, para. 16.
[120] See CERD/C/CAN/CO/21-23, para. 19.
[121] See CCPR/C/CAN/CO/6, para. 16.
[122] See CERD/C/CAN/CO/21-23, para. 20.
[123] Ibid., paras. 19–20.
[124] Ibid.
[125] For relevant recommendations, see A/HRC/24/11, paras. 128.26, 128.49, 129.146–128.150 and 128.162.
[126] See A/HRC/36/60/Add.1, paras. 59 and 81.
[127] See CERD/C/CAN/CO/21-23, paras. 33–34.
[128] See E/C.12/CAN/CO/6, para. 27.
[129] See CEDAW/C/CAN/CO/8-9, para. 25.
[130] See CCPR/C/CAN/CO/6, paras. 12–13.
[131] See CERD/C/CAN/CO/21-23, paras. 33–34.
[132] See UNHCR submission, p. 1.
[133] Ibid., p. 5.
[134] Ibid., pp. 1–2.
[135] Ibid., pp. 2–3.
[136] Ibid., p. 3.

[17] See CERD/C/CAN/CO/21-23, para. 33.
[18] For the relevant recommendation, see A/HRC/24/11, para. 128.10.
[19] See UNHCR submission, pp. 3–4.